

32692

Customer Number

PATENT
Docket No.: 54404US008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

RAYMOND P. JOHNSTON, MATTHEW T.
SCHOLZ, STEVEN B. HEINECKE and
CHARLES A. HENTZEN

Serial No.: 09/961,091
Filed: January 14, 2002

For: MEDICAL ARTICLE HAVING
FLUID CONTROL FILM

Group Art Unit: 3772

Confirmation No. 6682

Examiner: M. Brown

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office on and the date indicated below via the Office electronic filing system.

Date

April 22, 2008

Signature

Judy L. Hansen
Judy L. Hansen

Request For Refund under 37 CFR § 1.26

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

The Response to the Office Action dated April 6, 2007, was received at the USPTO on September 6, 2007, as evidenced by the attached copy of the fax confirmation showing the USPTO date stamp. Accompanying the Response was a request for an extension and an authorization to charge to our account the proper fee for the extension. According to the dates of the Office Action and the Certificate of Transmission for our Response, it is our belief that a two-month extension fee was due. However our deposit account was charged for a three-month extension (\$1,020.00, under fee code 1253) on September 12, 2007. Therefore, it appears we were overcharged \$570.00, as the fee for a two month extension at that time was believed to be \$450.00.

A copy of the Deposit Account statement showing the overcharge is enclosed with the charge in question circled.

Please credit the refund of \$570.00 to Deposit Account No. 13-3723.

Respectfully submitted,



Michael G. Williams
Registration No. 61,990
Agent for Applicants

MGW:jlh/#449266 Request for Refund
Office of Intellectual Property Counsel
3M Innovative Properties Company
P.O. Box 33427
St. Paul, Minnesota 55133-3427
(651) 736-7430
Facsimile: (651) 736-3833

Dated: April 22, 2008

cc: Accounting

Auto-Reply Facsimile Transmission

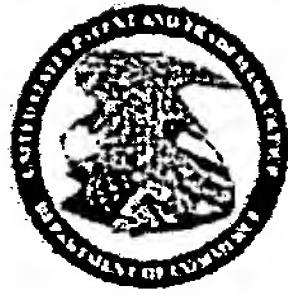


TO: Fax Sender at 6517334751
 Fax Information
 Date Received: 9/6/2007 11:05:42 AM [Eastern Daylight Time]
 Total Pages: 8 (including cover pag)

/ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(l). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

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Cover
Page
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2007-Sep-16 11:05:42 AM JR 1217334751	1/8
RESPONSE UNDER 37 CFR 1.116 EXPEDITED PROCEDURE EXAMINING GROUP: 3772	
32692 ***** Name: _____	Patent Case No.: 54150US06
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
First Name/Initials: J. S. SAWYER, DEPARTMENT:	Confirmation No.: 6682
Application No.: 11/061,681	Filing Date: JUNE 14, 2005
Title: APP, HOUSING ARTICLE HAVING FLUID CONTROL FILM	
<u>AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116</u>	
CORRECT DATE OF MAILING OR TRANSMISSION (37 CFR § 1.16(b)) This is not the date of correspondence being filed. <input checked="" type="checkbox"/> I am transmitting by facsimile from the day shown below to the United States Patent and Trademark Office (U.S.P.T.O.). Date: Sept. 6, 2007 <u>Julian A. Sand</u> Signed by: Julian A. Sand	
Dear Sir:	
This is in response to the outstanding Office Action, dated April 6, 2007, in the above-identified application.	
Please:	
<input type="checkbox"/> File response on the day made at the time or earlier than the U.S.P.T.O. Mail. In the event fees are taken into account, a late filing fee of 37 CFR 1.16(b) will be charged, unless otherwise indicated under 37 CFR 1.16(e). Please supply the Deposit Account No. 13-1525.	
<input type="checkbox"/> Please accept the filing under 37 CFR § 1.16(l) which may be required in Deposit Account No. 13-1525. (See page 6 of this document for a duplicate transcript.)	
<input type="checkbox"/> Please accept my telephone contact with the presentation of the application in Deposit Account No. 13-1525. The telephone number is the toll-free 800 number extension of 1-800-787-3728. To the extent my telephone contact cannot be accommodated, it is hereby requested:	
<input type="checkbox"/> Please credit my correspondence to the same above account.	



United States
Patent and
Trademark Office

Deposit Account Statement

Requested Statement Month: September 2007
Deposit Account Number: 133723
Name: 3M INNOVATIVE PROPERTIES COMPANY
Attention: MICHELE STENSGAARD
Street Address 1: OFFICE OF PATENT COUNSEL
Street Address 2: 3M CENTER P O BOX 33427
City: ST PAUL
State: MN
Zip: 55133
Country: UNITED STATES

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
09/12 74	11829637	62940US002	1051	\$130.00	\$193,269.86
09/12 7507	29283669	63531US002	1051	\$130.00	\$193,139.86
09/12 7613	29282885	63429US002	1051	\$130.00	\$193,009.86
09/12 1	09961091	54404US008	1253	\$1,020.00	\$191,989.86
09/12	10122 PCT/US07/8235	62221W0003	1601	\$300.00	\$191,689.86